IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.3738 OF 2005
IN
APPEAL NO.989 OF 2005
IN
ARBITRATION PETITION NO.36 OF 2004

M/s.Satish K. Narang & Co. Appellant
vs.
Jamnadas Morarjee Sec. Ltd. Respondent

Ms.Sunanda Kumbhat for the appellant.

Mr.Simil Purohit i/b.M/s.Purohit & Co. for the respondent.

CORAM : R.M. LODHA &
D.G. KARNIK, JJ.

DATED : 19th December 2005

P.C.

For the reasons stated in the affidavit in support of notice of motion, we are satisfied that the advocate for the appellant was prevented by sufficient cause in appearing before this Court on 24.11.2005 at the time the appeal was dismissed in default.

2. We, accordingly, re-call the order dated 24.11.2005 and restore the appeal to file.

3. Notice of motion stands disposed of.

4. Office to proceed accordingly.

(R.M.LODHA, J.)

(D. G. KARNIK, J.)